UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,921	07/07/2005	Alexander Kammerlocher	P05,0116	6015

26574   7590   05/04/2009

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ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
05/04/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Office Action Summary	Application No.	Applicant(s)
	10/531,921	KAMMERLOCHER ET AL.
	Examiner	Art Unit	
	MING HON	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 March 2009</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>65-76</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>65-76</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>19 April 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
    1.☒ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Response to Arguments

Applicant's amendment filed on March 2, 2009 is acknowledged. Currently Claims 65-76 are pending. Claims 33-64 has been cancelled. Claims 65-76 are new.

Applicant's arguments with respect to claims 33-64 have been considered but are moot because claims 33-64 have been cancelled.

In regards to the applicant's remarks on the control variable data, the claim limitations does not reflect what the control variable data is and the examiner does not believe "control variable data" cannot be simply the print job since it will control the rendering the output of the printer. It is a variable because different print jobs will result in different print outputs.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 65, 67-70, 73, and 76 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kadowaki USPN 6313921.

As per Claim 65, Kadowaki teaches a control system for a printing or copying system, comprising:

at least one client operating unit for input and output of operating information comprising both input and output values relating to configuration or execution of print jobs of the printing or copying system; (Kadowaki, Figure 1, Component 1 and 14)

a first control unit and at least one second control unit both inside the printing or copying system, the first and second control units controlling at least one part of the printing or copying system; (Kadowaki, Figure 1, Component 13, controls the image forming unit, Component 10 connected to Component 11, controls the flow of information of the print job and related information to the image forming unit)

a data line inside the printer via which the first and second control units are connected with one another (Kadowaki, Figure 1, Component 17)

and via which internal printing control variable data prepared by the first control unit are transferred between the first and second control units with aid of a data transfer protocol; (Kadowaki, Figure 1, Component 17, data is transferred via the CPU bus thus will be done using some type of protocol, the internal printing control variable data will be the print job that is desired to be printed. The variable will initiate forming the multiple parts of the print job such as images and text and send it to the image forming unit)

the first control unit having a server connected thereto, the client operating unit accessing the server as a client of the server; (Kadowaki, Component 3 to Component 2 to Component 7 to Component 10 to Component 11)

at least one part of the internal printing control variable data prepared by the first control unit being output by the client operating unit in addition to the operating information relating to configuration or execution of said print jobs. (Kadowaki, Figure 9A, Component 9A and 9B, the internal control variable being sent will be the print job, in addition of the printing of the print job, there will be some indication if the print job has been successfully or unsuccessfully completed.)

As per **Claim 67**, Kadowaki teaches a control system according to claim 65 wherein access to the operating information or the control data occurs with aid of a distributed object model in which objects are contained in units of the printing or copying system. (Kadowaki, Figure 1, Component 10, 14 and Figure 2; Figure 2 is the example of data structures which are representing the pieces of the print job is transmitted to various memory modules as in Component 10. The control data is in the data structure which is a object.)

As per **Claim 68**, Kadowaki teaches a control system according to claim 67 wherein the operating unit accesses at least one object of at least one control unit, the object containing data with operating information or control data. (Kadowaki, Figure 1, Component 10, 14 and Figure 2; Figure 2 is the example of data structures which are representing the pieces of the print job is transmitted to various memory modules as in Component 10. The control data is in the data structure. The operating unit is able to initiate the print job)

As per **Claim 69**, Kadowaki teaches a control system according to claim 65 wherein the operating information or the control data are processed with the aid of data, data structures, files, or events that are object-related. (Kadowaki, Figure 1, Component 10, 14 and Figure 2; Figure 2 is the example of data structures which are representing the pieces of the print job is transmitted to various memory modules as in Component 10. The control data is in the data structure which is a object.)

As per **Claim 70**, Naito teaches a control system according to claim 65 wherein the operating unit has at least one object for input or output of the operating information and the control data, the data transfer between the operating unit and the at least one control unit occurring with help of the objects. (Kadowaki, Figure 1, Component 10, 14 and Figure 2; Figure 2 is the example of data structures which are representing the pieces of the print job is

transmitted to various memory modules as in Component 10. The control data is in the data structure which is a object.)

As per Claim 73, Kadowaki teaches a control system according to claim 65 wherein the control data contain control variables, whereby at least values of these control variables an be input or output with aid of the operating unit. (Kadowaki, Figure 1, Component 14, the operating unit inputs the print job that is desired to be printed and will output the status of the respective print jobs)

As per Claim 76, Kadowaki teaches a method for input or output of operating information and output of internal printing control variable data for a printing or copying system, said operating information comprising both input and output values relating to configuration or execution of print jobs, comprising the steps of:

providing at least one client operating unit and a server connected to said operating unit and also to said first control unit; (Kadowaki, Figure 1, Component 10 and 14, and 2)

controlling the printing or copying system via a first control unit and at least one second control unit both of which are inside of the printing or copying system; (Kadowaki, Figure 1, Component 13, controls the image forming unit, Component 10 connected to Component 11, controls the flow of information of the print job and related information to the image forming unit)

creating said internal printing control variable data by said first control unit and transferring said control data between the first and second control units via a data line inside the printer with aid of a data transfer protocol; (Kadowaki, Figure 1, Component 17, data is transferred via the CPU bus thus will be done using some type of protocol, the internal printing control variable data will be the print job that is desired to be printed. The variable will

initiate forming the multiple parts of the print job such as images and text and send it to the

image forming unit)

inputting and outputting with said client operating unit said operating

information relating to configuration or execution of the print jobs, and said client

operating unit also outputting at least one part of said internal printing control

variable data created by the first control unit. (Kadowaki, Figure 9A, Component 9A and 9B, the

internal control variable being sent will be the print job, in addition of the printing of the print

job, there will be some indication if the print job has been successfully or unsuccessfully

completed.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

**Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kadowaki
USPN 6313921 as applied to Claim 65 and further in view of White USPN 6125372.**

As per Claim 66, Kadowaki teaches a control system according to claim 65. Kadowaki

does not teach wherein the data transfer protocol comprises a Simple Network Management

Protocol; However White teaches it. (White, Column 6, Lines 24-31)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of White into Kadowaki. Kadowaki teaches various components such as server, printer, and copying machines connected to each other via a network. The Simple Network Management Protocol can be used as a network protocol and is effective in communicating between peripheral devices.

Therefore it would have been obvious to one of ordinary skill to combine the two references to obtain the invention in Claim 66.

Claims 71-72 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kadowaki USPN 6313921 as applied to Claim 70 and further in view of Colby et al. US2003/0055965 hereinafter referred to as Colby.

As per Claim 71, Kadowaki teaches a control system according to claim 70. Kadowaki does not teach wherein the data transfer between objects defined in the programming language Java occurs with aid of a standardized model for abstract description of distributed objects; However Colby teaches it. (Colby, Paragraph [0051])

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Colby into Kadowaki. When sending data to peripheral devices, there must be some instructions to direct the transmission to the correct end destinations. Java is a popular object oriented programming language therefore sending objects will benefit from being defined in Java.

Therefore it would have been obvious to one of ordinary skill to combine the two references to obtain the invention in Claim 71.

As per Claim 72, Kadowaki in view of Colby teaches a control system according to claim 39 wherein the standardized model for abstract description of distributed objects occurs according to a Common Object Request Broker Architecture, (Colby, Paragraph [0051]) and the access to the control data and operating information occurs with the aid of a Remote Method Invocation communication. (Colby, Paragraph [0053])

Analysis is analogous to that made in Claim 71.

Claims 74-75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kadowaki USPN 6313921 as applied to Claim 73 and 65 respectively and further in view of Naito et al. USPN 7389329 hereinafter referred to as Naito .

As per Claim 74, Kadowaki teaches a control system according to claim 73. Kadowaki does not explicitly teach wherein the control data are administered with aid of a management information base; However Naito teaches it. (Naito, Column 4, Lines 64-67)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Naito into Kadowaki. Kadowaki teaches sending the control data to the first and second control unit. However Kadowaki does not explicitly teach the management of the movement of the control data. By using management information base will allow more organized and more efficient management of the control data.

Therefore it would have been obvious to one of ordinary skill to combine the two references to obtain the invention in Claim 74.

As per Claim 75, Kadowaki teaches a control system according to claim 65. Kadowaki does not teach wherein the input or output of the operating information or of the control data

occurs with aid of a graphical user interface of the operating unit; However Naito teaches it. (Naito, Figure 6, Component 602 and 603, graphical user interface as a web browser)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Naito into Kadowaki. Kadowaki does not teach a graphical user interface although one of ordinary skill would have implemented one for better and easier user interaction with the system.

Therefore it would have been obvious to one of ordinary skill to combine the two references to obtain the invention in Claim 75.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MING HON whose telephone number is (571)270-5245. The examiner can normally be reached on Mon- Fri 7:30 to 5:00 EST; 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571)272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. H./
Examiner, Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625